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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No. 023533-0113

Applicant: Lawrence E. CORNETT et al.

Title: RECOMBINANT β 2-ADRENERGIC RECEPTOR DELIVERY AND USE IN
TREATING AIRWAY AND VASCULAR DISEASES

Serial No. 09/783,580

Examiner: S. Priebe

Filed: February 15, 2001

Art Unit: 1632

Official
PTO FAX
5/8/02
SDP**PRELIMINARY AMENDMENT AND RESPONSE TO
TELEPHONIC REQUEST FOR RESTRICTION**Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the restriction requirement provided by the Examiner on May 3, 2002, Applicants hereby provisionally elect Group I, Claims 1-5 and 8-38, with traverse. It is believed that no fee is due, but if such fee is due, please consider this paragraph a the request for the extension of time and an authorization to withdraw the appropriate fee under from Deposit Account No. 19-0741. Prior to examination of the above-identified application on the merits, Applicants respectfully request the amendment of the application as follows:

In the Claims:

Please cancel claims 6, 7, and 39 - 43 without prejudice or disclaimer. Please add new claims 44-50.

In accordance with 37 C.F.R. §1.121, please substitute for claims 9 and 10, the following rewritten versions of the same claims, as amended. The changes are shown explicitly in the attached "Marked-up claims."

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9. The method of claim 8 wherein said epithelial cell is an airway epithelial cell.
 10. The method of claim 8, wherein said vector is a viral vector or a non-viral vector.
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